

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

The A.P. Prevention of Dangerous Activities of Bootleggers, Dacoits, Drug Offenders, Goondas, Immoral Traffic Offenders and Land Grabbers Act, 1986 (Act No.1 of 1986) – Order of detention passed by the Collector and District Magistrate, Visakhapatnam in respect of Sri Jajimoggala Kannam Naidu, S/o. Somunaidu, age: 26 years, R/o. Bailapudi (V), Cheedikada Mandal - Considered and Rejected – Orders- Issued.

GENERAL ADMINISTRATION (LAW AND ORDER.II) DEPARTMENT

G.O.Rt.No.3420

Dated 06.06.2008.

Read the following:-

1. Order of detention passed by the Collector & District Magistrate, Visakhapatnam, Rc.No.40/2008/A, dated 24.03.2008.
2. G.O.Rt.No.2077, G.A.(L&O.II) Dept., dated 03.04.2008.
3. Representation, dated 15.04.2008 made by Sri Jajimoggala Kannam Naidu, S/o. Somunaidu, received through the Superintendent, Central Prison, Hyderabad Lr No. CPH/Jailor MG/4055-58/2008, Dated 15.04.2008.
4. G.O.Rt.No.2849, G.A.(L&O.II) Dept., dated 13.05.2008.

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O R D E R:

In the reference first read above, the Collector and District Magistrate, Visakhapatnam has passed an order under Act No.1 of 1986, detaining Sri Jajimoggala Kannam Naidu, S/o. Somunaidu, age: 26 years, R/o. Bailapudi (V), Cheedikada Mandal for his drug offending activities. In the G.O. second read above, Government accorded its approval in respect of the order of detention under Sec. 3(2) of the said Act, and in the G.O. fourth read above, Government confirmed the said detention for a period of 12 months from the date of his detention under sub section (1) of Section 12 of the said Act.

2. In the meanwhile, Sri Jajimoggala Kannam Naidu, S/o. Somunaidu, in his representation third read above, has requested the Government to release him after declaring his detention as illegal on the following grounds:

- i) The grounds of detention relied upon by the authority are vague, irrelevant and not existing.
- ii) The first ground is vague, irrelevant and non-existing. There is no reference to Commissioner of Offence in the said ground and there is no basis to arrive that he finances for cultivation. No crime has been registered for the said allegation.
- iii) The first incident of the second ground is too remote to be relied upon by the authority while passing the order of detention. It was stated that he was convicted for which no material is placed before the detaining authority.
- iv) No material is placed before the detaining authority to show that a Rowdy sheet has been opened against him at Cheedikada Police Station.
- v) To constitute an offence under the NDPS Act, the Ganja should be fruiting and flowering tops of cannabis plant as defined under the said Act.
- vi) There is no basis for the averment that intelligence was received through Police and Revenue Depts. that he is the kind (king-pin) of entire activity (of smuggling) and it is false.

(...2.)

3. Government have examined the representation in the light of material placed before them.

4. As there are no merits in the representation, Government hereby reject the request of Jajimoggala Kannam Naidu, S/o. Somunaidu, to set aside the order of detention passed by the Collector & District Magistrate, Visakhapatnam.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

P.RAMAKANTH REDDY
CHIEF SECRETARY TO GOVERNMENT

To

Jajimoggala Kannam Naidu, S/o. Somunaidu, through the Superintendent, Central Prison, Hyderabad.

Copy to: - The Superintendent, Central Prison, Hyderabad (He should serve the Order of the detenu immediately under proper acknowledgement and arrange to read over and explain the contents of the same in the language known to the detenu and report compliance to the Government forthwith)
The Collector and District Magistrate, Visakhapatnam.
Sf/sc.

//FORWARDED :: BY ORDER//

SECTION OFFICER (SC)